

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JAMES BUTLER,

Plaintiff,

CIVIL ACTION NO. 04 CV 72750 DT

v.

DISTRICT JUDGE PATRICK J. DUGGAN

NORTHWEST AIRLINES, INC.,  
a corporation, PROSPECT AIRPORT  
SERVICES, INC., an Illinois corporation,  
and SUNRISE MEDICAL, a California  
corporation,

MAGISTRATE JUDGE VIRGINIA MORGAN

Defendants.

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**MEMORANDUM OF STATUS CONFERENCE**  
**AND SCHEDULING ORDER**

A status conference was the parties was held by the magistrate judge on August 29, 2006.

For the reasons discussed therein,

1. Defendant Northwest Airlines' Motion to Allow filing of Notices of Non-Parties at fault which was set for hearing on September 12, 2006, is resolved by the parties and the hearing is cancelled. Northwest Airlines may file its Notice.
2. The parties agree to file a Stipulation and Order permitting a Second Amended Complaint to include these (non-party fault) entities. The Amended complaint is to be filed by September 8, 2006. Plaintiff is responsible for service on these new defendants.

3. Plaintiff may depose employees present or on duty at the time of the incident. Former employees must be served.

4. Northwest Airlines may inspect the wheelchair and has agreed to try and wait until after the first responsive pleading of Discount Medical and Professional Home Health Care.

5. Because of the proposed amended complaint with new defendants, the discovery cutoff is extended to December 15, 2006.

6. The Dispositive Motion cutoff is extended to January 30, 2007.

7. Plaintiff to identify experts by October 1, 2006; defendants to identify experts by October 30, 2006. Reports are to be entered later.

8. Parties will endeavor to stipulate to a Wayne County Case evaluation. On or before December 15, 2006, parties will stipulate as to application of Michigan Court Rule mediation sanctions. Mediation is scheduled for January 17-18, 2007.

9. Settlement conference with the magistrate judge to be scheduled if parties request.

10. Trial date to be set by the district judge.

S/VIRGINIA M. MORGAN  
VIRGINIA M. MORGAN  
UNITED STATES MAGISTRATE JUDGE

Date: September 11, 2006

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**PROOF OF SERVICE**

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System and/or U. S. Mail on September 11, 2006.

s/Kendra Byrd  
Case Manager to  
Magistrate Judge Virginia M. Morgan